

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**



Declaration and Power of Attorney
for Patent Application
特許出願宣言書兼委任状
Japanese Language Declaration

私は、下欄に氏名を記載した発明者として、以下のとおり宣言する:

As a below named inventor, I hereby declare that:

私の住所、郵便宛先および国籍は、下欄に氏名に続いて記載したとおりであり、下記名称の発明に関し、特許請求の範囲に記載した特許を求める主題の本来の、最初にして唯一の発明者である(一人の氏名のみが下欄に記載されている場合)か、もしくは本来の、最初にして共同の発明者である(複数の氏名が下欄に記載されている場合)と信じ、

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OPTICAL ELEMENT, THIN FILM STRUCTURE, OPTICAL SWITCH,
AND METHOD OF MANUFACTURING OPTICAL ELEMENT

その明細書を

(該当するものにチェック)

☐ ここに添付する。

☐ 年 月 日に

出願番号第 として提出され、

年 月 日に補正し、

(該当する場合)

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on October 2, 2003 as

Application Serial No 10/676733

and was amended on _____

(if applicable)

私は、前記のとおり補正した特許請求の範囲を含む前記明細書の内容を検討し、理解したことを陳述する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦施行規則第37章第1条第56項に従い、本願の特許性の有無について重要な情報を開示すべき義務を有することを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

私は、米国法第35章第119条に基づく下記の外国特許出願もしくは発明者証出願の外国優先権利益を主張し、さらに優先権の主張に係わる基礎出願の提出日前の提出日を有する外国特許出願もしくは発明者証出願および/もしくは米国仮出願を以下に明記する:

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and/or any U.S. provisional application(s) listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior foreign and/or provisional applications 先行外国出願/仮出願			Priority claimed 優先権の主張	
2002-002729 (Number/番号)	Japan (Country/国名)	09/01/2002 (Day/Month/Year Filed /提出年月日)	<input checked="" type="checkbox"/> (Yes/はい)	<input type="checkbox"/> (No/いいえ)
Prior foreign and/or provisional applications 先行外国出願/仮出願			Priority claimed 優先権の主張	
2002-291400 (Number/番号)	Japan (Country/国名)	03/10/2003 (Day/Month/Year Filed /提出年月日)	<input checked="" type="checkbox"/> (Yes/はい)	<input type="checkbox"/> (No/いいえ)
Prior foreign and/or provisional applications 先行外国出願/仮出願			Priority claimed 優先権の主張	
2002-301878 (Number/番号)	Japan (Country/国名)	16/10/2002 (Day/Month/Year Filed /提出年月日)	<input checked="" type="checkbox"/> (Yes/はい)	<input type="checkbox"/> (No/いいえ)

私は、米国法第35章第120条に基づく下記の米国特許出願の利益を主張し、本願の特許請求の範囲各項に記載の主題が米国法第35章第112条の第1段落に規定の態様で先の米国出願に開示されていない限度において、先の出願の提出日と本願の国内提出日もしくはPCT国際出願提出日の間に公衆された連邦施行規則第37章第1条第56項に記載の重要な情報を開示すべき義務を有することを認める。

I hereby claim the benefit under Title 35, United States code, § 120 of any United States application(s) listed below and, in so far as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112.

I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

PCT/JP02/13292 (Application Serial No./出願番号)	Dec. 19, 2002 (Filing Date/提出日)	Pending (Status: Patented, Pending, abandoned/ 現状: 特許成立、係属中、放棄済み)
(Application Serial No./出願番号)	(Filing Date/提出日)	(Status: Patented, Pending, abandoned/ 現状: 特許成立、係属中、放棄済み)

私は、ここに自己の知識にもとづいて行った陳述がすべて真実であり、自己の有する情報および信ずるところに従って行った陳述が真実であると信じ、さらに故意に虚偽の陳述等を行った場合、米国法第18章第1001条により、罰金もしくは禁錮に処せられるか、またはこれらの刑が併科され、またかかる故意による虚偽の陳述が本願ないし本願に対して付与される特許の有効性を損なうことがあることを認識して、以上の陳述を行ったことを宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

委任状:私は下記発明者として、以下の代理人をここに選任し、本願の手続を遂行すること並びにこれに関する一切の行為を特許商標庁に対して行うことを委任する。(代理人氏名および登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

The attorneys and agents of Staas & Halsey LLP
under
USPTO Customer No. 21,171.

Send Correspondence To/書類送

MORGAN, LEWIS & BOCKIUS
LLP
009629
009629
PATENT TRADEMARK OFFICE

Direct Telephone Calls To (name and telephone number)/直通電話連絡先(名称および電話番号):

Telephone: 202-739-3000

Full name of sole or first inventor/単独または第一発明者の氏名 Tohru ISHIZUYA	
Inventor's signature/同発明者の署名 Tohru Ishizuya	Date/日付 Feb. 2, 2004
Citizenship/国籍 Japan	Residence Meguro-ku, Tokyo, JAPAN
Post Office Address/郵便宛先 c/o NIKON CORPORATION, 2-3 MARUNOUCHI 3-CHOME, Chiyoda-ku, Tokyo 100-8831	
Full name of second joint inventor (if any)/第二共同発明者の氏名(該当する場合) Junji SUZUKI	
Inventor's signature/同発明者の署名 Junji Suzuki	Date/日付 Feb. 2, 2004
Citizenship/国籍 Japan	Residence Hachioji-shi, Tokyo, JAPAN
Post Office Address/郵便宛先 c/o NIKON CORPORATION, 2-3 MARUNOUCHI 3-CHOME, Chiyoda-ku, Tokyo 100-8831	
Full name of sole or third inventor/第三発明者の氏名(該当する場合) Yoshihiko SUZUKI	
Inventor's signature/同発明者の署名 Yoshihiko Suzuki	Date/日付 Feb. 2, 2004
Citizenship/国籍 Japan	Residence Funabashi-shi, Chiba-Ken, JAPAN
Post Office Address/郵便宛先 c/o NIKON CORPORATION, 2-3 MARUNOUCHI 3-CHOME, Chiyoda-ku, Tokyo 100-8831	

Supply similar information and signature for third and subsequent joint inventors.
第四又はそれ以降の共同発明者に対しても同様な情報および署名を提供すること。